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NOV 13 2020

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JOHN PARLANTE,
Plaintiff,

vs.

AMERICAN RIVER COLLEGE, AND JOHN
DOE
Defendant

Case No.:

2:20-CV-2268-KJM-JDP (PS)

MOTION

MOTION

EX-PARTE MOTION TO PROCEED USING PSEUDONYM

Comes now plaintiff John Parlante with an Ex-Parte Motion to proceed pseudonymously in the above entitled action.

Both plaintiff's physical disability and his enrollment at American River College is not public information and plaintiff would be irreparably harmed if it were disclosed to the general public. Plaintiff is more than 50% blind and was the victim of a vicious assault on the campus of the defendant. However upon appearance few people can tell that he has this disability due to multiple surgeries.

Publicly disclosing this disability could endanger employment opportunities in the future and plaintiff needs to work to eventually pay back substantial student loans.

Plaintiff is aware that normally court documents are public records, plaintiff agrees that if the

MOTION

1 case must go to trial plaintiff will waive the pseudonym.

2 **POINTS AND AUTHORITIES**

3 American River College is subject to 20 U.S. Code § 1232g more commonly known as
4 FERPA and must maintain the privacy of the student unless the student waives the
5 right. Plaintiff has never waived his right to privacy at the college and does not even allow his
6 name to be placed in directories that the college normally uses because it requires a student
7 waiver.

8 Plaintiff is also a disabled student and receives disability accommodations as required by
9 Title 5 of California Code of Regulations §56008 which states under Student rights:

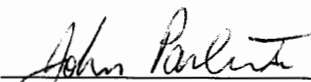
10 (c) All records maintained by DSPS personnel pertaining to students
11 with disabilities shall be protected from disclosure and shall be
12 subject to all other requirements for handling of student records as
13 provided in Subchapter 6 (commencing with Section 54600) of
14 Chapter 5 of this Division.”

15 Since plaintiff has rights at both the state level and the federal level, plaintiff makes a
16 reasonable request at this point in the process. Also plaintiff is amenable to mediation as regards
17 this case and is willing to give up his privacy in future should the case go to trial.

18 **DECLARATION**

19 John Parlante, being duly sworn, states that he knows the contents of the foregoing request for
20 electronic filing and that he knows the contents thereof are true. I declare under penalty of
21 perjury that the foregoing is true pursuant to 28 U.S.C. §1781.

22 Dated: November 10, 2020.

23 
John Parlante in Pro Per